REMARKS

1.   Applicant thanks the Examiner for the Examiner's comments which have greatly assisted Applicant in responding.

Applicant has amended C laims 1, 15, 20, and 34. It should be noted that Applicant has elected to amend said Claims solely for the purpose of expediting the patent application process in a manner consistent with the PTO's Patent Business Goals, 65 Fed. Reg. 54603 (9/8/00). In making this amendment, Applicant has not and does not in any way narrow the scope of protection to which Applicant considers the invention herein to b e entitled and does not concede, in any way, that the subject matter of such Claims was in fact taught or disclosed by the cited prior art. Rather, Applicant reserves Applicant's right to pursue such protection at a later point in time and merely seeks to pursue protection for the subject matter presented in this submission.

2.   35 U.S.C. §103(a). The Examiner has rejected Claims 1, 15, 20, and 34 under 35 U.S.C. §103(a) as being unpatentable over Herz (6,029,195) in view of Basche (6,119,164) and further in view of Pant et al. (6,012,053).

Applicant respectfully disagrees.

<u>Claims 1 and 20:</u>

Claims 1 and 20 have been amended to clarify the invention and appear as follows:

1.   In a system including an advice consumer for gathering broadcast information from a communications medium, a communications system comprising:

an advice provider which broadcasts information over a communications medium to a third party to target information of interest to consumers;

wherein said advice consumer is resident on a client system and is advised of said information by a reader if said information meets certain predetermined relevance criteria;

a reader resident with said advice consumer that determines relevance of said broadcast information; and

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wherein said advice provider offers highly targeted advice without compromising individual privacy.

20.   In a system including an advice consumer for gathering broadcast information from a communications medium, a communications method comprising the steps of:

providing one or more advice providers which broadcast information over a communications medium to a third party to target information of interest to advice consumers;

advising said advice consumer of said information by a reader if said information meets certain predetermined relevance criteria;

wherein said advice consumer is resident on a client system;

providing a reader resident with said advice consumer that determines relevance of said broadcast information; and

said advice provider offering highly targeted advice without compromising individual privacy.

In particular, Herz does not teach or disclose a system that provides an advice consumer wherein said advice consumer is resident on a client system and is advised of broadcast information by a reader if the information meets certain predetermined relevance criteria and a reader resident with the advice consumer that determines relevance of the broadcast information as claimed in the invention. Herz teaches away from such a system by teaching that Herz's invention is a proxy server. Herz does not contemplate a client system. Col. 43, lines 53-58:

"In our system, the organizations that the user U interacts with are the servers S1-Sn on the network N. However, rather than directly corresponding with each server, the user employs a proxy server, e.g. S2, as an intermediary between the local server of the user's own client and the information provider or network vendor."

Col. 40, line 62-col. 41 line 5 further states:

"In order that a user may ensure that some or all of the information in the user's user profile and target profile interest summary remain dissociated from the user's true identity, the user employs as an intermediary any one of a number of proxy servers available on the data communication network N of FIG. 2 (for example, server S2). The proxy servers function to disguise the true identity of the user from other parties

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on the data communication network N. The proxy server represents a given user to either single network vendors and information servers or coalitions thereof"

The proxy server acts as a filter for all users registered on the proxy server. User-specific information is stored on the proxy server, col. 39 lines 12-28 state:

"2. A second function of the proxy server is to record user-specific information associated with user U. This user-specific information includes a user profile and target profile interest summary for user U, as well as a list of access control instructions specified by user U, as described below, and a set of one-time return addresses provided by user U that can be used to send messages to user U without knowing user U's true identity. All of this user-specific information is stored in a database that is keyed by user U's pseudonym (whether secure or non-secure) on the proxy server.

3. A third function of the proxy server is to act as a selective forwarding agent for unsolicited communications that are addressed to user U: the proxy server forwards some such communications to user U and rejects others, in accordance with the access control instructions specified by user U."

Therefore, Herz does not teach or disclose a system that provides an advice consumer wherein said advice consumer is resident on a client system and is advised of broadcast information by a reader if the information meets certain predetermined relevance criteria and a reader resident with the advice consumer that determines relevance of the broadcast information as claimed in the invention.

The Office Action also states that Herz discloses "wherein said advice provider offers highly targeted advice without compromising individual privacy (Col. 5, lines 21-52)." Herz does compromise individual privacy because user-specific information must be transferred from the user's client system to Herz's proxy server. Such transfer of user-specific information across a network or the Internet exposes the user to external information snooping. Therefore Herz compromises individual privacy.

Additionally, Basche does not teach, disclose, or contemplate a system that includes "an advice consumer for gathering broadcast information from a communications medium, a communications system" as the Office Action states. Basche, in col. 1, lines 6-32 teaches

that a search engine can "enable a person to identify other sites on the Internet which are likely sources of desired information or services by presenting lists of sites which claim to have content matching keywords or search terms provided by the person." This is not what is claimed in the invention.

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Basche further teaches away from the invention as claimed by teaching that all user profile information is gathered and sent by a client workstation across a publicly-accessible network to a central server. The server analyzes the profile information, generates display information in response to the profile information, and returns display information along the

10 communications path to the workstation. Col. 1, line 63-col. 2, line 3 state:

> "According to one aspect of the present invention, a client workstation receives operator input and fully performs programmed instructions according to that input, records in a storage device profile information derived from data representing the
>
> 15 operator choices, sends the profile information to a server, and generates a display in response to information received from the server that was customized in response to the profile information."

Col. 3, lines 13-30 further state:

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> "In step S3 the client workstation records data representing a profile of operator choices using storage device 106. For example, the profile information may convey the number or nature of documents that have been processed by OCR or sent b y fax, or it may convey the number and types of error messages generated by the
>
> 25 program.
>
> In step S4, using communications devices 108 and 308 and communications path 200, client workstation 100 exchanges information with server 300 and determines whether derived profile information is to be sent to the server. If profile information is
>
> 30 to be sent, client workstation 100 sends the profile information to server 300 in step S5. If information is not to be sent, step S8 is performed instead.
>
> In step S6, server 300 generates display information in response to the profile information and sends that information to client workstation 100 by way of
>
> 35 communications devices 308 and 108 communications path 200."

Therefore, Basche does not teach, disclose, or contemplate a system that provides an advice consumer that is resident on a client system and is advised of broadcast information by a reader if the information meets certain predetermined relevance criteria as claimed in the invention. Basche further does not show that such an advice consumer is well known in the art.

To combine Herz and Basche as the Office Action suggests simply results in Herz's invention except that Herz's proxy server does not store user-specific information, but rather is sent the user-specific information by a client workstation and sends information in response to the user-specific information. This is not what is claimed in the invention.

Combining Pant with the teachings of Herz and Basche as the Office Action suggests, results in Herz's invention once again. Herz's proxy server determines relevance of information and filters such information before sending information to a client.

Therefore, Herz in view of Basche and further in view of Pant does teach or disclose all of the claim limitations of the invention.

Claims 15 and 34:

Claims 15 and 34 have been amended to clarify the invention and appear as follows:

15.   A method for remotely and anonymously inspecting one or more communicating devices for information of interest to information consumers, said method comprising the steps of:

providing a third party consumer database inspector which is installed on a third party computer for determining if said information is relevant to any individuals in a consumer database;

said third party computer gathering advisories routinely from an advice provider which broadcasts information over a communications medium to one or more third parties to target information of interest to consumers;

wherein said advisories contain a relevance clause component that is written in a formal relevance language precisely specifying the conditions under which an advisory could be relevant;

using relevance evaluation to generate queries to said third party consumer database inspector;

said third party consumer database inspector querying said consumer database; and

    providing relevant messages from said third party to appropriate consumers to advise said consumers of relevant information.

34.   A system for remotely and anonymously inspecting one or more communicating devices for information of interest to information consumers, said system comprising:

    a third party consumer database inspector which is installed on a third party computer for determining if said information is relevant to any individuals in a consumer database;

    said third party computer including a module for gathering advisories routinely from an advice provider which broadcasts information over a communications medium to one or more third parties to target information of interest to consumers;

    wherein said advisories contain a relevance clause component that is written in a formal relevance language precisely specifying the conditions under which an advisory could be relevant;

    a relevance evaluation module for generating queries to said third party consumer database inspector;

    said third party consumer database inspector including a module for querying said consumer database; and

    means for providing relevant messages from said third party to appropriate consumers to advise said customers of relevant information.

Basche does not teach, disclose, or contemplate a system that "teaches said third party computer gathering advisories routinely from an advice provider which broadcasts information over a communications medium to one or more third parties to target information of interest to consumers" as the Office Action states. Basche, in col. 1, lines 6-32 teaches that a search engine can "enable a person to identify other sites on the Internet which are likely sources of desired information or services by presenting lists of sites which claim to have content matching keywords or search terms provided by the person." This is not what is claimed in the invention.

Further, neither Herz, Basche, or Pant teach or disclose a system wherein the advisories contain a relevance clause component that is written in a formal relevance language

precisely specifying the conditions under which an advisory could be relevant as claimed in the invention.

To combine Herz and Basche as the Office Action suggests simply results in Herz's invention except that Herz's proxy server does not store user-specific information, but rather is sent the user-specific information by a client workstation and sends information in response to the user-specific information. This is not what is claimed in the invention.

Therefore, Herz in view of Basche and further in view of Pant does teach or disclose all of the claim limitations of the invention.

Claims 1, 15, 20, and 34 are allowable. Therefore, Applicant respectfully requests that the Examiner withdraw the rejection under 35 U.S.C. §103(a).

3.   35 U.S.C. §103(a). The Examiner has rejected Claims 2, 16, 21, and 35 under 35 U.S.C. §103(a) as being unpatentable over Herz (6,029,195) in view of Basche (6,119,164) and further in view of Ellesson et al. (6,098,099).

The rejection of Claims 2, 16, 21, and 35 under 35 U.S.C. §103(a) is deemed moot in view of Applicant's comments concerning Claims 1, 15, 20, and 34 above. Claims 2, and 16, and 21, and 35 are dependent upon Claims 1, 15, 20, and 34, respectively, which are in allowable condition. Therefore, Applicant respectfully requests that the Examiner withdraw the rejection under 35 U.S.C. §103(a).

4.   35 U.S.C. §103(a). The Examiner has rejected Claims 3-14, 17-19, 22-33, and 36-38 under 35 U.S.C. §103(a) as being unpatentable over Herz (6,029,195) in view of Basche (6,119,164), Ellesson et al. (6,098,099) and further in view of Tarter et al. (5,704,044).

The rejection of Claims 3-14, 17-19, 22-33, and 36-38 under 35 U.S.C. §103(a) is deemed moot in view of Applicant's comments concerning Claims 1, 15, 20, and 34 above. Claims 3-14, and 17-19, and 22-33, and 36-38 are dependent upon Claims 1, 15, 20, and 34, respectively, which are in allowable condition. Therefore, Applicant respectfully requests that the Examiner withdraw the rejection under 35 U.S.C. §103(a).

CONCLUSION

Based on the foregoing, Applicant considers the present invention to be distinguished from the art of record. Accordingly, Applicant earnestly solicits the Examiner's withdrawal of the rejections raised in the above referenced Office Action, such that a Notice of Allowance is forwarded to Applicant, and the present application is therefore allowed to issue as a United States patent.

Respectfully Submitted,

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Version with markings to show changes made

In The Claims

5   Please amend Claims 1, 15, 20, and 34 as follows (Marked copy):

1.   (amended)   In a system including an advice consumer for gathering broadcast information from a communications medium, a communications system comprising:

an advice provider which broadcasts information over a communications medium to a
10   third party to target information of interest to consumers;

wherein said advice consumer is resident on a client system and is advised of said information by a reader if said information meets certain predetermined relevance criteria;

a reader resident with said advice consumer that determines relevance of said broadcast information; and
15   wherein said advice provider offers highly targeted advice without compromising individual privacy.

15.   (amended)   A method for remotely and anonymously inspecting one or more communicating devices for information of interest to information consumers, said method
20   comprising the steps of:

providing a third party consumer database inspector which is installed on a third party computer for determining if said information is relevant to any individuals in a consumer database;

said third party computer gathering advisories routinely from an advice provider
25   which broadcasts information over a communications medium to one or more third parties to target information of interest to consumers;

wherein said advisories contain a relevance clause component that is written in a formal relevance language precisely specifying the conditions under which an advisory could be relevant;
30   using relevance evaluation to generate queries to said third party consumer database inspector;

said third party consumer database inspector querying said consumer database; and

providing relevant messages from said third party to appropriate consumers to advise said consumers of relevant information.
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20.   (amended) In a system including an advice consumer for gathering broadcast information from a communications medium, a communications method comprising the steps of:

providing one or more advice providers which broadcast information over a communications medium to a third party to target information of interest to advice consumers;

advising said advice consumer of said information <u>by a reader</u> if said information meets certain predetermined relevance criteria;

<u>wherein said advice consumer is resident on a client system;</u>

providing a reader resident with said advice consumer that determines relevance of said broadcast information; and

said advice provider offering highly targeted advice without compromising individual privacy.

34.   (amended) A system for remotely and anonymously inspecting one or more communicating devices for information of interest to information consumers, said system comprising:

a third party consumer database inspector which is installed on a third party computer for determining if said information is relevant to any individuals in a consumer database;

said third party computer including a module for gathering advisories routinely from an advice provider which broadcasts information over a communications medium to one or more third parties to target information of interest to consumers;

<u>wherein said advisories contain a relevance clause component that is written in a formal relevance language precisely specifying the conditions under which an advisory could be relevant;</u>

a relevance evaluation module for generating queries to said third party consumer database inspector;

said third party consumer database inspector including a module for querying said consumer database; and

means for providing relevant messages from said third party to appropriate consumers to advise said customers of relevant information.